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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,633	07/15/2003	Brian G. Payton	SVL920030074US1/3794P	1713
45728 7590 05/09/2008 SAWYER LAW GROUP LLP P.O. BOX 51418 PALO ALTO, CA 94303				
EXAMINER LONG, ANDREA NATAE				
ART UNIT 2176		PAPER NUMBER		
NOTIFICATION DATE 05/09/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent@sawyerlawgroup.com  
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### Office Action Summary

**Application No.**

10/620,633

**Applicant(s)**

PAYTON ET AL.

**Examiner**

Andrea N. Long

**Art Unit**

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 44-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 44-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## **FINAL ACTION**

### ***Applicant's Remarks***

In Applicant's Response dated 01/30/2008, Applicant cancelled claims 1-3, 5-6, 10-11, 13-15, 17-18, 22-23, and 37-43, added claims 44-53 and argued against all rejections previously set forth in the Office Action dated 10/18/2007.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 44-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mocek et al (US Patent 5924089), hereinafter "Mocek" in view of Rubinstein (US Patent 5721897).

*For the convenience of the Applicant, the Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action. Although the specified citations are representations of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. The Applicant should consider the entire reference(s) as applicable as to the limitations of the claims.*

**As to independent claim 44**, Mocek teaches a method for creating a query search condition through a user interface (column 2 lines 5-15 – Mocek discloses a

database management system that user a user interface to create a query condition), the method comprising:

displaying column names that are selectable for use in a predicate of the query search condition in a first display area of the user interface (Fig. 3E reference character 376, column 5 lines 1-13 – taught as the fields in the selectable database);

displaying column operators that are selectable for use in the predicate of the query search condition in a second display area of the user interface (Fig 3E reference character 378, column 5 lines 13-14 – taught as relational conditional operators);

receiving selection of one of the column names displayed in the first display area of the user interface (column 5 lines 1-13 – taught as user selecting a field);

receiving selection of one of the column operators displayed in the second display area of the user interface (column 5 lines 13-14 - taught as user selecting an operator). Mocek additionally teaches a third display area which in response to selection from the operator, additional values associated with the operator, conforms to the selected operator (Fig. 3E reference character 378 and 380, Fig 3G reference character 395 - the format of the value boxes change according to the selection of the operator). Mocek additionally teaches wherein the first display area, the second display area, and the third display area are displayed together on the user interface (Fig 3E).

It is established above that Mocek automatically changes the value format according to a selection of an operator. However, Mocek fails to teach automatically generating a list of all column values that area selectable for use in the predicate of the query search condition based on the selected column name and the selected column

operator; and displaying the list of all the column values that are selectable for use in the predicate of the query search condition in a third display area of the user interface. Rubinstein teaches a user interface for search documents that uses an automatically generated list of search terms based on a selection of an archive to implement in to a search query (column 3 lines 57-60, column 4 lines 15-22). Rubinstein discloses that by automatically generating a list of search terms prompts the user to search for information of interest without requiring the user to conceive search terms.

Therefore it would have been obvious to one skilled in the art at the time the invention was made to have combined the query method of Mocek with the automatically generated list of search terms of Rubinstein to relieve the user from the burden of creating values, and instead permit the user to browse the relevant values on the basis of the automatically generated list of values.

**As to dependent claim 45**, Mocek in view of Rubinstein as discussed above teaches the receiving selection of one or more of the column values (column 3 lines 57-60, Rubinstein) displayed in the third display area (Fig 3E and 3G, Mocek) of the user interface.

**As to dependent claims 46 and 47**, Mocek teaches confirming selection of the selected column name, the selected column operator, and the one or more selected column values by receiving user input clicking a mouse button in the user interface

(column 4 lines 25-26, Fig 3A - Mocek discloses that the user can click the next button or any of the tabs to move on, which is reasonably equivalent of a user confirmation).

**As to dependent claim 48**, Mocek teaches displaying the predicate of the query search condition in a fourth display area of the user interface based on the selected column name, the selected column operator, and the one or more selected column values (column 5 lines 16-20. Fig 3E reference character 382 – Mocek discloses the computer interprets the information entered above and displays a search condition).

**As to dependent claim 49**, Mocek teaches updating a query model with the predicate of the query search condition (column 5 lines 16-20 – Mocek discloses the computer interprets the information entered above and displays a search condition);

displaying SQL code of the query model in a fifth display area of the user interface (Fig 3K, column 6 lines 31-40). While Mocek does not explicitly teach having all five display areas being displayed together in the user interface, he does disclose having all five display areas as well as displaying four out of the five display areas together. It is reasonable for one skilled in the art to have the fifth display area displayed with the other four display areas to display all useful information pertaining to the creation and execution of the query condition.

**As to dependent claims 50, 51, 52, and 53**, Mocek teaches wherein the database names are selectable from a pull down menu (Fig 3F reference character

374). While Mocek does not explicitly teach the column names, column operators, or column values being utilized in a pull-down menu format, it is reasonable to one skilled in the art that any number of pull-down menus could be incorporated or replace the existing scrollable menus of Mocek as a design choice or to simplify the look of the user interface.

### ***Response to Arguments***

Applicant's arguments filed 01/30/2008 have been fully considered but they are not persuasive.

Applicant asserts that Mocek in combination with Rubinstein fail to teach "automatically generating a list of all column values that are selectable for use in the predicate of the query search condition based on the selected column name and the selected column operator".

The Examiner respectfully disagrees. As discussed above in the rejection of claim 1, Mocek teaches wherein the selection of an operator will change the value format for which a user can enter values, for example when the operator is changed to "IS BETWEEN", the associated value format is displayed to show that a value range has to be inputted. It should also be noted that the selection of a database of Mocek seems to automatically generate corresponding fields for user selection. Contrary to Applicant's assumption that the "automatically generated list of keyword phrases", is for all documents stored in a computer-readable medium, attention should be directed to Rubinstein column 4 lines 15-22. Rubinstein teaches a file list of documents to be

searched. Those documents to be searched are drawn from an archive catalog and it is the archive catalog which is searched for keyword phrases, not all the documents stored in a computer readable medium. It is the combination of Mocek and Rubinstein that teaches the limitation "automatically generating a list of all column values that are selectable for use in the predicate of the query search condition based on the selected column name and the selected column operator". Focus should be directed to the user being able to *select* documents for which keyword phrases can be drawn from to increase the users search to relevant information.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea N. Long whose telephone number is 571-270-1055. The examiner can normally be reached on Mon - Thurs 6:00 am to 3:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrea Long  
May 5, 2008

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